

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 186

FINAL READING

Introduced by Langemeier, 23; Erdman, 47

Read first time January 9, 2007

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to real property appraisers; to amend sections
2 76-2210, 76-2210.01, 76-2210.02, 76-2213, 76-2213.01,
3 76-2217.01, 76-2219, 76-2223, 76-2226, 76-2227, 76-2228,
4 76-2228.01, 76-2229, 76-2229.01, 76-2230, 76-2231.01,
5 76-2232, 76-2233, 76-2233.01, 76-2236, 76-2237, 76-2241,
6 76-2242, 76-2247.01, and 77-5004, Revised Statutes
7 Cumulative Supplement, 2006; to change provisions
8 relating to credentialing of real property appraisers;
9 to update references; to delete obsolete provisions;
10 to harmonize provisions; and to repeal the original
11 sections.

12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2210, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 76-2210 Certified general real property appraiser means
4 a person who holds a valid ~~certificate~~ credential as a certified
5 general real property appraiser issued under the Real Property
6 Appraiser Act.

7 Sec. 2. Section 76-2210.01, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 76-2210.01 Certified real property appraiser means a
10 person who holds a valid ~~certificate~~ credential as a certified
11 general real property appraiser or a valid ~~certificate~~ credential
12 as a certified residential real property appraiser issued under the
13 Real Property Appraiser Act.

14 Sec. 3. Section 76-2210.02, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 76-2210.02 Certified residential real property appraiser
17 means a person who holds a valid ~~certificate~~ credential as a
18 certified residential real property appraiser issued under the Real
19 Property Appraiser Act.

20 Sec. 4. Section 76-2213, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 76-2213 Licensed real property appraiser ~~or licensed~~
23 ~~residential real property appraiser~~ means a person who holds a
24 valid ~~license~~ credential as a licensed real property appraiser ~~or~~
25 as a ~~licensed residential real property appraiser~~ issued under the

1 Real Property Appraiser Act.

2 Sec. 5. Section 76-2213.01, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 76-2213.01 ~~National~~ Uniform Standards of Professional
5 Appraisal Practice means the standards promulgated by the Appraisal
6 Foundation, as the standards existed on January 1, ~~2006-~~ 2007.

7 Sec. 6. Section 76-2217.01, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 76-2217.01 Registered real property appraiser means a
10 person who holds a valid ~~registration~~ credential as a registered
11 real property appraiser as provided in section 76-2229.01.

12 Sec. 7. Section 76-2219, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 76-2219 Valuation assignment means (1) an appraisal that
15 estimates the value of identified real estate or identified real
16 property at a particular point in time or (2) a valuation service
17 provided as a consequence of an agreement between a real property
18 appraiser and a client.

19 Sec. 8. Section 76-2223, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 76-2223 The board shall administer and enforce the Real
22 Property Appraiser Act and may:

23 (1) Receive applications for credentialing under the act,
24 process such applications and regulate the issuance of credentials
25 to qualified applicants, and maintain a directory of the names and

1 addresses of persons who receive credentials under the act;

2 (2) Hold meetings, public hearings, informal conferences,
3 and administrative hearings, prepare or cause to be prepared
4 specifications for all appraiser classifications, solicit bids and
5 enter into contracts with one or more educational testing services
6 or organizations for the preparation of a bank of questions and
7 answers for examinations, and administer or contract for the
8 administration of examinations in such places and at such times as
9 deemed appropriate;

10 (3) Develop the specifications for credentialing
11 examinations, including timing, location, and security necessary to
12 maintain the integrity of the examinations;

13 (4) Review from time to time the procedure for selecting
14 individual questions from the bank of questions for use in
15 connection with each scheduled examination and review from time
16 to time the questions in the bank of questions and the related
17 answers to ascertain that they meet the specifications established
18 by the board;

19 (5) Collect all fees required or permitted by the act.
20 The board shall remit all such receipts to the State Treasurer for
21 credit to the Real Property Appraiser Fund. In addition, the board
22 may collect and transmit to the appropriate federal authority any
23 fees established under the Financial Institutions Reform, Recovery,
24 and Enforcement Act of 1989, as the act existed on January 1, 2006;

25 (6) Establish appropriate administrative procedures for

1 disciplinary proceedings conducted pursuant to the Real Property
2 Appraiser Act;

3 (7) Issue subpoenas to compel the attendance of witnesses
4 and the production of books, documents, records, and other papers,
5 administer oaths, and take testimony and require submission of and
6 receive evidence concerning all matters within its jurisdiction. In
7 case of disobedience of a subpoena, the board may make application
8 to the district court of Lancaster County to require the attendance
9 and testimony of witnesses and the production of documentary
10 evidence. If any person fails to obey an order of the court, he or
11 she may be punished by the court as for contempt thereof;

12 (8) Deny, censure, suspend, or revoke an application or
13 credential if it finds that the applicant or credential holder has
14 committed any of the acts or omissions set forth in section 76-2238
15 or otherwise violated the act. Any disciplinary matter may be
16 resolved through informal disposition pursuant to section 84-913;

17 (9) Take appropriate disciplinary action against a
18 credential holder if the board determines that a credential holder
19 has violated any provision of the act or the ~~National~~ Uniform
20 Standards of Professional Appraisal Practice;

21 (10) Enter into consent decrees and issue cease and
22 desist orders upon a determination that a violation of the act has
23 occurred;

24 (11) Promote research and conduct studies relating to
25 the profession of real property appraisal, sponsor real property

1 appraisal educational activities, and incur, collect fees for, and
2 pay the necessary expenses in connection with activities which
3 shall be open to all credential holders;

4 (12) Establish and annually adopt minimum standards for
5 appraisals as required under section 76-2237;

6 (13) Adopt and promulgate rules and regulations to
7 carry out the act. The rules and regulations may include
8 provisions establishing minimum standards for schools, courses, and
9 instructors. The rules and regulations shall be adopted pursuant to
10 the Administrative Procedure Act; and

11 (14) Do all other things necessary to carry out the Real
12 Property Appraiser Act.

13 Sec. 9. Section 76-2226, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 76-2226 There is hereby created the Real Property
16 Appraiser Fund. The board may use the fund for the administration
17 and enforcement of the Real Property Appraiser Act and to meet
18 the necessary expenditures of the board. The fund shall include
19 a sufficient cash fund balance as determined by the board. The
20 expense of administering and enforcing the act shall not exceed the
21 money collected by the board under the act. ~~Any money remaining~~
22 ~~in the Real Estate Appraiser Fund on July 14, 2006, shall be~~
23 ~~transferred to the Real Property Appraiser Fund on such date.~~ Any
24 money in the fund available for investment shall be invested by the
25 state investment officer pursuant to the Nebraska Capital Expansion

1 Act and the Nebraska State Funds Investment Act.

2 Sec. 10. Section 76-2227, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 76-2227 (1) Applications for credentials, including
5 authorization to take the appropriate examination, and for renewal
6 of credentials shall be made in writing to the board on forms
7 approved by the board. The payment of the appropriate fee fixed
8 by the board pursuant to section 76-2241 shall accompany all
9 applications.

10 (2) At the time of filing an initial or renewal
11 application for credentials, the applicant shall sign a pledge
12 that he or she has read and will comply with the ~~National~~ Uniform
13 Standards of Professional Appraisal Practice. Each applicant shall
14 also certify that he or she understands the types of misconduct for
15 which disciplinary proceedings may be initiated.

16 (3) Credentials shall be issued only to persons who have
17 a good reputation for honesty, trustworthiness, integrity, and
18 competence to perform assignments in such manner as to safeguard
19 the interest of the public and only after satisfactory proof of
20 such qualification has been presented to the board upon request.

21 (4) No credential shall be issued to a corporation,
22 partnership, limited liability company, firm, or group.

23 Sec. 11. Section 76-2228, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 76-2228 (1) Prior to January 1, 2008, there shall be

1 four classes of credentials issued to real property appraisers as
2 follows:

3 (a) Registered real property appraiser, which
4 classification shall consist of those persons who meet the
5 requirements ~~for registration~~ set forth in section 76-2229.01;

6 (b) Licensed real property appraiser, which
7 classification shall consist of those persons who meet the
8 requirements ~~for licensure~~ set forth in section 76-2230;

9 (c) Certified residential real property appraiser, which
10 classification shall consist of those persons who meet the
11 requirements ~~for residential certification~~ set forth in section
12 76-2231.01; and

13 (d) Certified general real property appraiser, which
14 classification shall consist of those persons who meet the
15 requirements ~~for general certification~~ set forth in section
16 76-2232.

17 (2) On and after January 1, 2008, there shall be five
18 classes of credentials issued to real property appraisers as
19 follows:

20 (a) Trainee real property appraiser, which classification
21 shall consist of those persons who meet the requirements ~~for~~
22 ~~credentialing~~ set forth in section 76-2228.01;

23 (b) Registered real property appraiser, which
24 classification shall consist of those persons who meet the
25 requirements ~~for registration~~ set forth in section 76-2229.01;

1 (c) Licensed ~~residential~~ real property appraiser, which
2 classification shall consist of those persons who meet the
3 requirements ~~for licensure~~ set forth in section 76-2230;

4 (d) Certified residential real property appraiser, which
5 classification shall consist of those persons who meet the
6 requirements ~~for residential certification~~ set forth in section
7 76-2231.01; and

8 (e) Certified general real property appraiser, which
9 classification shall consist of those persons who meet the
10 requirements ~~for general certification~~ set forth in section
11 76-2232.

12 Sec. 12. Section 76-2228.01, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 76-2228.01 (1) On and after January 1, 2008, to qualify
15 for a credential as a trainee real property appraiser, an applicant
16 shall:

17 (a) Be at least nineteen years of age;

18 (b) Hold a high school diploma or a certificate of high
19 school equivalency or have education acceptable to the board;

20 (c) Have successfully completed no fewer than
21 seventy-five class hours in board-approved courses of study
22 which relate to appraisal and which include completion of the
23 fifteen-hour National Uniform Standards of Professional Appraisal
24 Practice Course, or its equivalent as approved by the Appraiser
25 Qualifications Board. The fifteen-hour course shall be taught by

1 a ~~National~~ Uniform Standards of Professional Appraisal Practice
2 Instructor who is certified by the Appraiser Qualifications Board
3 and who is a state-certified appraiser in good standing. The
4 courses of study shall be conducted by an accredited university,
5 college, community college, or junior college, an appraisal
6 society, institute, or association, a state or federal agency
7 or commission, a proprietary school, or such other educational
8 provider as may be approved by the board and shall be, at a
9 minimum, fifteen class hours in length. Each course shall include
10 an examination pertinent to the material presented. The applicant
11 shall have completed the class hours within the five-year period
12 immediately preceding submission of the application and shall
13 have completed the fifteen-hour National Uniform Standards of
14 Professional Appraisal Practice Course within the two-year period
15 immediately preceding submission of the application;

16 (d) Be subject to direct supervision by a supervising
17 appraiser or appraisers who are certified residential real property
18 appraisers or certified general real property appraisers in good
19 standing. The supervising appraiser shall be responsible for the
20 training and direct supervision of the trainee by accepting
21 responsibility for the appraisal report by signing and certifying
22 the report is in compliance with the ~~National~~ Uniform Standards
23 of Professional Appraisal Practice, reviewing the trainee appraisal
24 reports, and personally inspecting each appraised property with the
25 trainee until the supervising appraiser determines the trainee is

1 competent in accordance with the competency rule of the ~~National~~
2 Uniform Standards of Professional Appraisal Practice. The trainee
3 shall maintain an appraisal log for each supervising appraiser in
4 accordance with standards set by rule and regulation of the board;
5 and

6 (e) Not have been convicted of any felony or, if so
7 convicted, have had his or her civil rights restored.

8 (2) If a trainee real property appraiser remains in
9 the classification in excess of two years, the trainee shall be
10 required in the third and successive years to successfully complete
11 no fewer than fourteen hours of instruction in courses or seminars
12 for each year of the period preceding the renewal and shall have
13 completed the seven-hour National Uniform Standards of Professional
14 Appraisal Practice Update Course, or its equivalent, at a minimum
15 of every two years. The courses of study shall be conducted by
16 an accredited university, college, community college, or junior
17 college, an appraisal society, institute, or association, a state
18 or federal agency or commission, a proprietary school, or such
19 other educational provider as may be approved by the board. Credit
20 may be granted for educational offerings and for participation
21 other than as a student as approved by the board.

22 (3) The application for a credential as a trainee real
23 property appraiser shall include the applicant's social security
24 number and such other information as the board may require.

25 Sec. 13. Section 76-2229, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 76-2229 (1) No person other than a registered real
3 property appraiser shall assume or use the title registered real
4 property appraiser or any title, designation, or abbreviation
5 likely to create the impression of ~~registration~~ credentialing
6 as a registered real property appraiser by this state. No
7 person other than a licensed real property appraiser shall
8 assume or use the title licensed real property appraiser or
9 any title, designation, or abbreviation likely to create the
10 impression of ~~licensure~~ credentialing as a licensed real property
11 appraiser by this state. No person other than a certified
12 residential real property appraiser shall assume or use the
13 title certified residential real property appraiser or any title,
14 designation, or abbreviation likely to create the impression of
15 ~~residential certification~~ credentialing as a certified residential
16 real property appraiser by this state. No person other than
17 a certified general real property appraiser shall assume or
18 use the title certified general real property appraiser or
19 any title, designation, or abbreviation likely to create the
20 impression of ~~general certification~~ credentialing as a certified
21 general real property appraiser by this state. A real property
22 appraiser shall state whether he or she is a registered real
23 property appraiser, licensed real property appraiser, certified
24 residential real property appraiser, or certified general real
25 property appraiser whenever he or she identifies himself or herself

1 as a real property appraiser, including on all reports which are
2 signed individually or as cosigner.

3 (2) The terms registered real property appraiser,
4 licensed real property appraiser, ~~licensed residential real~~
5 ~~property appraiser~~, certified residential real property appraiser,
6 and certified general real property appraiser may only be used
7 to refer to a person who is credentialed as such under the Real
8 Property Appraiser Act and may not be used following or immediately
9 in connection with the name or signature of a corporation,
10 partnership, limited liability company, firm, or group or in such
11 manner that it might be interpreted as referring to a corporation,
12 partnership, limited liability company, firm, or group or to anyone
13 other than the credential holder. This requirement shall not be
14 construed to prevent a credential holder from signing an appraisal
15 report on behalf of a corporation, partnership, limited liability
16 company, firm, or group if it is clear that only the individual
17 holds the credential and that the corporation, partnership, limited
18 liability company, firm, or group does not.

19 Sec. 14. Section 76-2229.01, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 76-2229.01 (1) ~~For registration~~ To qualify for a
22 credential as a registered real property appraiser, an applicant
23 shall:

24 (a) Be at least nineteen years of age;

25 (b) Hold a high school diploma or a certificate of high

1 school equivalency or have education acceptable to the board;

2 (c) Have successfully completed no fewer than ninety
3 class hours in board-approved courses of study which relate
4 to appraisal and which include a ~~fifteen-hour course in the~~
5 fifteen-hour National Uniform Standards of Professional Appraisal
6 Practice Course, or its equivalent as approved by the Appraiser
7 Qualifications Board. The courses of study shall be conducted by
8 an accredited university, college, community college, or junior
9 college, an appraisal society, institute, or association, or such
10 other educational provider as may be approved by the board and
11 shall be, at a minimum, fifteen class hours in length. Each course
12 of study shall include an examination pertinent to the material
13 presented;

14 (d) Pass an examination administered by the board which
15 demonstrates that the applicant has:

16 (i) Knowledge of technical terms commonly used in or
17 related to appraisal and the writing of appraisal reports;

18 (ii) Knowledge of depreciation theories, cost estimating,
19 methods of capitalization, market data analysis, appraisal
20 mathematics, and economic concepts applicable to real estate;

21 (iii) An understanding of the basic principles of land
22 economics, appraisal processes, and problems encountered in the
23 gathering, interpreting, and processing of data involved in the
24 valuation of real property;

25 (iv) Knowledge of the appraisal of various types of and

1 interests in real property for various functions and purposes;

2 (v) An understanding of basic real estate law;

3 (vi) An understanding of the types of misconduct for
4 which disciplinary proceedings may be initiated;

5 (vii) An understanding of the ~~National~~ Uniform Standards
6 of Professional Appraisal Practice;

7 (viii) An understanding of the recognized methods and
8 techniques necessary for the development and communication of a
9 credible appraisal; and

10 (ix) Knowledge of such other principles and procedures as
11 may be appropriate to produce a credible appraisal; and

12 (e) Not have been convicted of any felony or, if so
13 convicted, have had his or her civil rights restored.

14 (2) The application for registration shall include the
15 applicant's social security number and such other information as
16 the board may require.

17 (3) On and after January 1, 2008, the scope of practice
18 of a registered real property appraiser shall be limited to the
19 appraisal of noncomplex property having one, two, three, or four
20 residential units having a transaction value of less than two
21 hundred fifty thousand dollars.

22 ~~(3)~~ (4) On and after January 1, 2008, an applicant
23 shall receive no more than three successive annual renewals
24 for ~~registration.~~ credentialing as a registered real property
25 appraiser. Notwithstanding any other provision of section 76-2228

1 to the contrary, the board shall not approve any initial
2 application for ~~registration~~ credentialing as a registered real
3 property appraiser on and after January 1, 2012.

4 Sec. 15. Section 76-2230, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 76-2230 (1) Prior to January 1, 2008, to qualify for
7 a ~~license~~ credential as a licensed real property appraiser, an
8 applicant shall:

9 (a) Be at least nineteen years of age;

10 (b) Hold a high school diploma or a certificate of high
11 school equivalency or have education acceptable to the board;

12 (c) Have successfully completed no fewer than ninety
13 class hours, which may include the class hours set forth in
14 section 76-2229.01, in board-approved courses of study which relate
15 to appraisal and which include a ~~fifteen-hour~~ course in the
16 fifteen-hour National Uniform Standards of Professional Appraisal
17 Practice Course, or its equivalent as approved by the Appraiser
18 Qualifications Board. The courses of study shall be conducted by
19 an accredited university, college, community college, or junior
20 college, an appraisal society, institute, or association, or such
21 other educational provider as may be approved by the board and
22 shall be, at a minimum, fifteen class hours in length. Each course
23 shall include an examination pertinent to the material presented;

24 (d) Have no fewer than two years of experience in
25 any combination of the following: Fee and staff appraisal;

1 ad valorem tax appraisal; review appraisal; appraisal analysis;
2 highest-and-best-use analysis; or feasibility analysis or study.
3 The required experience shall not be limited to the listed items
4 but shall be acceptable to the board and subject to review
5 and determination as to conformity with the ~~National~~ Uniform
6 Standards of Professional Appraisal Practice. The experience shall
7 include a total of at least two thousand hours and shall have
8 occurred over at least a twenty-four-month period. If requested,
9 evidence acceptable to the board concerning the experience shall be
10 presented by the applicant in the form of written reports or file
11 memoranda;

12 (e) Pass an examination administered by the board which
13 demonstrates that the applicant has:

14 (i) Knowledge of technical terms commonly used in or
15 related to appraisal and the writing of appraisal reports;

16 (ii) Knowledge of depreciation theories, cost estimating,
17 methods of capitalization, market data analysis, appraisal
18 mathematics, and economic concepts applicable to real estate;

19 (iii) An understanding of the principles of land
20 economics, appraisal processes, and problems encountered in the
21 gathering, interpreting, and processing of data involved in the
22 valuation of real property;

23 (iv) Knowledge of the appraisal of various types of and
24 interests in real property for various functions and purposes;

25 (v) An understanding of basic real estate law;

1 (vi) An understanding of the types of misconduct for
2 which disciplinary proceedings may be initiated;

3 (vii) An understanding of the ~~National~~ Uniform Standards
4 of Professional Appraisal Practice;

5 (viii) An understanding of the recognized methods and
6 techniques necessary for the development and communication of a
7 credible appraisal; and

8 (ix) Knowledge of such other principles and procedures as
9 may be appropriate to produce a credible appraisal; and

10 (f) Not have been convicted of any felony or, if so
11 convicted, have had his or her civil rights restored.

12 (2) On and after January 1, 2008, to qualify for a
13 credential as a licensed ~~residential~~ real property appraiser, an
14 applicant shall:

15 (a) Be at least nineteen years of age;

16 (b) Hold a high school diploma or a certificate of high
17 school equivalency or have education acceptable to the board;

18 (c) Have successfully completed no fewer than one
19 hundred fifty class hours, which may include the class hours set
20 forth in section 76-2229.01, in board-approved courses of study
21 which relate to appraisal and which include completion of the
22 fifteen-hour National Uniform Standards of Professional Appraisal
23 Practice Course, or its equivalent as approved by the Appraiser
24 Qualifications Board. The fifteen-hour course shall be taught by
25 a ~~National~~ Uniform Standards of Professional Appraisal Practice

1 Instructor who is certified by the Appraiser Qualifications Board
2 and who is a state-certified appraiser in good standing. The
3 courses of study shall be conducted by an accredited university,
4 college, community college, or junior college, an appraisal
5 society, institute, or association, a state or federal agency
6 or commission, a proprietary school, or such other educational
7 provider as may be approved by the board and shall be, at a
8 minimum, fifteen class hours in length. Each course shall include a
9 closed-book examination pertinent to the material presented;

10 (d) Have no fewer than two thousand hours of experience
11 in any combination of the following: Fee and staff appraisal;
12 ad valorem tax appraisal; condemnation appraisal; technical
13 review appraisal; appraisal analysis; real estate consulting;
14 highest-and-best-use analysis; and feasibility analysis or study.
15 The required experience shall not be limited to the listed items
16 but shall be acceptable to the board and subject to review
17 and determination as to conformity with the ~~National~~ Uniform
18 Standards of Professional Appraisal Practice. The experience shall
19 have occurred during a period of no fewer than twelve months.
20 If requested, evidence acceptable to the board concerning the
21 experience shall be presented by the applicant in the form of
22 written reports or file memoranda;

23 (e) Within the twenty-four months following approval
24 of the applicant by the board, pass a closed-book examination
25 administered by the board which demonstrates that the applicant

1 has:

2 (i) Knowledge of technical terms commonly used in or
3 related to appraisal and the writing of appraisal reports;

4 (ii) Knowledge of depreciation theories, cost estimating,
5 methods of capitalization, market data analysis, appraisal
6 mathematics, and economic concepts applicable to real estate;

7 (iii) An understanding of the principles of land
8 economics, appraisal processes, and problems encountered in the
9 gathering, interpreting, and processing of data involved in the
10 valuation of real property;

11 (iv) Knowledge of the appraisal of various types of and
12 interests in real property for various functions and purposes;

13 (v) An understanding of basic real estate law;

14 (vi) An understanding of the types of misconduct for
15 which disciplinary proceedings may be initiated;

16 (vii) An understanding of the ~~National~~ Uniform Standards
17 of Professional Appraisal Practice;

18 (viii) An understanding of the recognized methods and
19 techniques necessary for the development and communication of a
20 credible appraisal; and

21 (ix) Knowledge of such other principles and procedures as
22 may be appropriate to produce a credible appraisal; and

23 (f) Not have been convicted of any felony or, if so
24 convicted, have had his or her civil rights restored.

25 (3) On and after January 1, 2008, the scope of practice

1 for a licensed ~~residential~~ real property appraiser shall be limited
2 to the appraisal of noncomplex property having one, two, three, or
3 four residential units with a transaction value of less than one
4 million dollars and complex property having one, two, three, or
5 four residential units with a transaction value of less than two
6 hundred fifty thousand dollars.

7 (4) If an applicant is applying for renewal of a
8 credential as a licensed ~~residential~~ real property appraiser on
9 and after January 1, 2008, the applicant shall have successfully
10 completed no fewer than fourteen hours of instruction in courses
11 or seminars for each year of the two-year continuing education
12 period during which the application is submitted and shall have
13 completed the seven-hour National Uniform Standards of Professional
14 Appraisal Practice Update Course, or its equivalent as approved
15 by the Appraiser Qualifications Board, at a minimum of every
16 two years. The seven-hour course shall be taught by a ~~National~~
17 Uniform Standards of Professional Appraisal Practice Instructor
18 who is certified by the Appraiser Qualifications Board and who
19 is a state-certified appraiser in good standing. Credit toward a
20 classroom hour requirement may be granted only when the length
21 of the educational offering is at least two hours. The courses
22 of study shall be conducted by an accredited university, college,
23 community college, or junior college, an appraisal society,
24 institute, or association, a state or federal agency or commission,
25 a proprietary school, or such other educational provider as may

1 be approved by the board. Credit may be granted for educational
2 offerings and for participation other than as a student as approved
3 by the board.

4 (5) If, prior to January 1, 2008, an applicant for
5 a credential as a licensed ~~residential~~ real property appraiser
6 has satisfied the requirements for education, experience, or
7 examination, as the requirements for each component are described
8 in subdivisions (1)(c), (d), and (e) of this section, respectively,
9 the board shall deem the applicant to have met the requirements for
10 that component for purposes of credentialing. If the applicant has
11 not met the requirements for a component prior to January 1, 2008,
12 the applicant shall be required to meet the applicable requirements
13 for that component as described in subdivision (2)(c), (d), or (e)
14 of this section.

15 (6) The application for the ~~license~~ credential as a
16 licensed real property appraiser shall include the applicant's
17 social security number and such other information as the board may
18 require.

19 Sec. 16. Section 76-2231.01, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 76-2231.01 (1) Prior to January 1, 2008, to qualify for a
22 ~~residential certificate~~ credential as a certified residential real
23 property appraiser, an applicant shall:

24 (a) Be at least nineteen years of age;

25 (b) Hold a high school diploma or a certificate of high

1 school equivalency or have education acceptable to the board;

2 (c) Have successfully completed no fewer than one hundred
3 twenty class hours, which may include the class hours set forth in
4 sections 76-2229.01 and 76-2230, in board-approved courses of study
5 which relate to appraisal and which include a ~~fifteen-hour course~~
6 ~~in~~ the fifteen-hour National Uniform Standards of Professional
7 Appraisal Practice Course, or its equivalent as approved by the
8 Appraiser Qualifications Board. The courses of study shall be
9 conducted by an accredited university, college, community college,
10 or junior college, an appraisal society, institute, or association,
11 or such other educational provider as may be approved by the
12 board and shall be, at a minimum, fifteen class hours in length.
13 Each course shall include an examination pertinent to the material
14 presented;

15 (d) Have no fewer than two years of experience in
16 any combination of the following: Fee and staff appraisal;
17 ad valorem tax appraisal; review appraisal; appraisal analysis;
18 highest-and-best-use analysis; or feasibility analysis or study.
19 The required experience shall not be limited to the listed items
20 but shall be acceptable to the board and subject to review
21 and determination as to conformity with the ~~National~~ Uniform
22 Standards of Professional Appraisal Practice. The experience shall
23 include a total of at least two thousand five hundred hours and
24 shall have occurred over no less than a twenty-four-month period.
25 If requested, evidence acceptable to the board concerning the

1 experience shall be presented by the applicant in the form of
2 written reports or file memoranda. Of the two thousand five hundred
3 hours, one thousand five hundred hours shall be in residential
4 appraisal work. For purposes of determining residential appraisal
5 work, residential appraisal work shall be the appraisal of property
6 having one to four residential units;

7 (e) Pass an examination administered by the board which
8 demonstrates that the applicant has:

9 (i) Knowledge of technical terms commonly used in or
10 related to appraisals and the writing of appraisal reports;

11 (ii) An understanding of the basic principles of land
12 economics, appraisal processes, and problems encountered in
13 gathering, interpreting, and processing of data involved in the
14 valuation of real property;

15 (iii) An understanding of the recognized methods and
16 techniques necessary for the development and communication of
17 credible appraisals as provided in the Real Property Appraiser Act;

18 (iv) An understanding of the ~~National~~ Uniform Standards
19 of Professional Appraisal Practice;

20 (v) Knowledge of depreciation theories, cost estimating,
21 methods of capitalization, appraisal mathematics, and economic
22 concepts applicable to real estate;

23 (vi) Knowledge of such other principles and procedures as
24 may be appropriate for certification;

25 (vii) An understanding of real estate law; and

1 (viii) An understanding of the types of misconduct for
2 which disciplinary proceedings may be initiated; and

3 (f) Not have been convicted of any felony or, if so
4 convicted, have had his or her civil rights restored.

5 (2) On and after January 1, 2008, to qualify for a
6 ~~residential certificate~~ credential as a certified residential real
7 property appraiser, an applicant shall:

8 (a) Be at least nineteen years of age;

9 (b)(i) Hold an associate degree, or higher, from an
10 accredited university, college, community college, or junior
11 college; or

12 (ii) Have successfully completed, as verified by the
13 board, twenty-one semester hours of coursework or its equivalent
14 from an accredited university, college, community college, or
15 junior college that shall have included English composition;
16 principles of macroeconomics or microeconomics; finance; algebra,
17 geometry, or higher mathematics; statistics; introduction to
18 computers, including word processing and spread sheets; and
19 business or real estate law;

20 (c) Have successfully completed no fewer than two hundred
21 class hours, which may include the class hours set forth in
22 sections 76-2229.01 and 76-2230, in board-approved courses of study
23 which relate to appraisal and which include completion of the
24 fifteen-hour National Uniform Standards of Professional Appraisal
25 Practice Course, or its equivalent as approved by the Appraiser

1 Qualifications Board. The fifteen-hour course shall be taught by
2 a ~~National~~ Uniform Standards of Professional Appraisal Practice
3 Instructor who is certified by the Appraiser Qualifications Board
4 and who is a state-certified appraiser in good standing. The
5 courses of study shall be conducted by an accredited university,
6 college, community college, or junior college, an appraisal
7 society, institute, or association, a state or federal agency
8 or commission, a proprietary school, or such other educational
9 provider as may be approved by the board and shall be, at a
10 minimum, fifteen class hours in length. Credit toward the class
11 hour requirement may be awarded to teachers of appraisal courses.
12 Each course shall include a closed-book examination pertinent to
13 the material presented;

14 (d) Have no fewer than two thousand five hundred hours
15 of experience in any combination of the following: Fee and staff
16 appraisal; ad valorem tax appraisal; condemnation appraisal;
17 technical review appraisal; appraisal analysis; real estate
18 consulting; highest-and-best-use analysis; and feasibility analysis
19 or study. The required experience shall not be limited to the
20 listed items but shall be acceptable to the board and subject to
21 review and determination as to conformity with the ~~National~~ Uniform
22 Standards of Professional Appraisal Practice. The experience shall
23 have occurred during a period of no fewer than twenty-four months.
24 If requested, evidence acceptable to the board concerning the
25 experience shall be presented by the applicant in the form of

1 written reports or file memoranda;

2 (e) Within the twenty-four months following approval
3 of the applicant by the board, pass a closed-book examination
4 administered by the board which demonstrates that the applicant
5 has:

6 (i) Knowledge of technical terms commonly used in or
7 related to appraisal and the writing of appraisal reports;

8 (ii) Knowledge of depreciation theories, cost estimating,
9 methods of capitalization, market data analysis, appraisal
10 mathematics, and economic concepts applicable to real estate;

11 (iii) An understanding of the principles of land
12 economics, appraisal processes, and problems encountered in the
13 gathering, interpreting, and processing of data involved in the
14 valuation of real property;

15 (iv) Knowledge of the appraisal of various types of and
16 interests in real property for various functions and purposes;

17 (v) An understanding of basic real estate law;

18 (vi) An understanding of the types of misconduct for
19 which disciplinary proceedings may be initiated;

20 (vii) An understanding of the ~~National~~ Uniform Standards
21 of Professional Appraisal Practice;

22 (viii) An understanding of the recognized methods and
23 techniques necessary for the development and communication of a
24 credible appraisal; and

25 (ix) Knowledge of such other principles and procedures as

1 may be appropriate to produce a credible appraisal; and

2 (f) Not have been convicted of any felony or, if so
3 convicted, have had his or her civil rights restored.

4 (3) On and after January 1, 2008, the scope of practice
5 of a certified residential real property appraiser shall be
6 limited to the appraisal of property having one, two, three,
7 or four residential units without regard to transaction value or
8 complexity.

9 (4) If an applicant is applying for renewal of a
10 ~~residential certificate~~ credential as a certified residential real
11 property appraiser on and after January 1, 2008, the applicant
12 shall have successfully completed no fewer than fourteen hours
13 of instruction in courses or seminars for each year of the
14 two-year continuing education period during which the application
15 is submitted and shall have completed the seven-hour National
16 Uniform Standards of Professional Appraisal Practice Update Course,
17 or its equivalent as approved by the Appraiser Qualifications
18 Board, at a minimum of every two years. The seven-hour course
19 shall be taught by a ~~National~~ Uniform Standards of Professional
20 Appraisal Practice Instructor who is certified by the Appraiser
21 Qualifications Board and who is a state-certified appraiser in
22 good standing. Credit toward a classroom hour requirement may
23 be granted only if the length of the educational offering is
24 at least two hours. The courses of study shall be conducted by
25 an accredited university, college, community college, or junior

1 college, an appraisal society, institute, or association, a state
2 or federal agency or commission, a proprietary school, or such
3 other educational provider as may be approved by the board. Credit
4 may be granted for educational offerings and for participation
5 other than as a student as approved by the board.

6 (5) If, prior to January 1, 2008, an applicant for a
7 ~~residential certificate~~ credential as a certified residential real
8 property appraiser has satisfied the requirements for education,
9 experience, or examination, as the requirements for each component
10 are described in subdivisions (1)(c), (d), and (e) of this section,
11 respectively, the board shall deem the applicant to have met the
12 requirements for that component for purposes of credentialing.
13 If the applicant has not met the requirements for a component
14 prior to January 1, 2008, the applicant shall be required to meet
15 the applicable requirements for that component as described in
16 subdivision (2)(c), (d), or (e) of this section.

17 (6) The application for a ~~residential certificate~~
18 credential as a certified residential real property appraiser shall
19 include the applicant's social security number and such other
20 information as the board may require.

21 Sec. 17. Section 76-2232, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 76-2232 (1) Prior to January 1, 2008, to qualify for a
24 ~~general certificate~~ credential as a certified general real property
25 appraiser, an applicant shall:

- 1 (a) Be at least nineteen years of age;
- 2 (b) Hold a high school diploma or a certificate of high
3 school equivalency or have education acceptable to the board;
- 4 (c) Have successfully completed no fewer than one hundred
5 eighty class hours, which may include the class hours set forth
6 in sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved
7 courses of study which relate to appraisal and which include
8 a the fifteen-hour course in the National Uniform Standards of
9 Professional Appraisal Practice Course, or its equivalent as
10 approved by the Appraiser Qualifications Board. The courses of
11 study shall be conducted by an accredited university, college,
12 community college, or junior college, an appraisal society,
13 institute, or association, or such other educational provider as
14 may be approved by the board and shall be, at a minimum, fifteen
15 class hours in length. Each course shall include an examination
16 pertinent to the material presented;
- 17 (d) Have two and one-half years of experience in
18 any combination of the following: Fee and staff appraisal;
19 ad valorem tax appraisal; review appraisal; appraisal analysis;
20 highest-and-best-use analysis; or feasibility analysis or study.
21 The required experience shall not be limited to the listed
22 items but shall be acceptable to the board and conform with
23 the ~~National~~ Uniform Standards of Professional Appraisal Practice.
24 The experience shall include a total of at least three thousand
25 hours and shall have occurred over at least a thirty-month period.

1 If requested, evidence acceptable to the board concerning the
2 experience shall be presented by the applicant in the form of
3 written reports or file memoranda. Of the three thousand hours, one
4 thousand five hundred hours shall be in nonresidential appraisal
5 work. For purposes of determining nonresidential appraisal work,
6 residential appraisal work shall be the appraisal of property
7 having one to four residential units;

8 (e) Pass an examination administered by the board which
9 demonstrates that the applicant has:

10 (i) Knowledge of technical terms commonly used in or
11 related to appraisals and the writing of appraisal reports;

12 (ii) An understanding of the principles of land
13 economics, appraisal processes, and problems encountered in
14 gathering, interpreting, and processing of data involved in the
15 valuation of real property;

16 (iii) An understanding of the recognized methods and
17 techniques necessary for the development and communication of
18 credible appraisals as provided in the Real Property Appraiser Act;

19 (iv) An understanding of the ~~National~~ Uniform Standards
20 of Professional Appraisal Practice;

21 (v) Knowledge of depreciation theories, cost estimating,
22 methods of capitalization, appraisal mathematics, and economic
23 concepts applicable to real estate;

24 (vi) Knowledge of such other principles and procedures as
25 may be appropriate for general certification;

- 1 (vii) An understanding of real estate law; and
- 2 (viii) An understanding of the types of misconduct for
- 3 which disciplinary proceedings may be initiated; and
- 4 (f) Not have been convicted of any felony or, if so
- 5 convicted, have had his or her civil rights restored.
- 6 (2) On and after January 1, 2008, to qualify for a
- 7 ~~general certificate~~ credential as a certified general real property
- 8 appraiser, an applicant shall:
- 9 (a) Be at least nineteen years of age;
- 10 (b) (i) Hold a bachelor's degree, or higher, from an
- 11 accredited university or college; or
- 12 (ii) Have successfully completed, as verified by the
- 13 board, thirty semester hours of coursework or its equivalent from
- 14 an accredited university or college that shall have included
- 15 English composition; macroeconomics; microeconomics; finance;
- 16 algebra, geometry, or higher mathematics; statistics; introduction
- 17 to computers, including word processing and spread sheets; business
- 18 or real estate law; and two elective courses in accounting,
- 19 geography, agricultural economics, business management, or real
- 20 estate;
- 21 (c) Have successfully completed no fewer than three
- 22 hundred class hours, which may include the class hours set forth
- 23 in sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved
- 24 courses of study which relate to appraisal and which include
- 25 completion of the fifteen-hour National Uniform Standards of

1 Professional Appraisal Practice Course, or its equivalent as
2 approved by the Appraiser Qualifications Board. The fifteen-hour
3 course shall be taught by a ~~National~~ Uniform Standards of
4 Professional Appraisal Practice Instructor who is certified by
5 the Appraiser Qualifications Board and who is a state-certified
6 appraiser in good standing. The courses of study shall be conducted
7 by an accredited university, college, community college, or junior
8 college, an appraisal society, institute, or association, a state
9 or federal agency or commission, a proprietary school, or such
10 other educational provider as may be approved by the board and
11 shall be, at a minimum, fifteen class hours in length. Credit
12 toward the class hour requirement may be awarded to teachers
13 of appraisal courses. Each course shall include a closed-book
14 examination pertinent to the material presented;

15 (d) Have no fewer than three thousand hours of experience
16 in any combination of the following: Fee and staff appraisal;
17 ad valorem tax appraisal; condemnation appraisal; technical
18 review appraisal; appraisal analysis; real estate consulting;
19 highest-and-best-use analysis; and feasibility analysis or study.
20 The required experience shall not be limited to the listed items
21 but shall be acceptable to the board and subject to review
22 and determination as to conformity with the ~~National~~ Uniform
23 Standards of Professional Appraisal Practice. The experience shall
24 have occurred during a period of no fewer than thirty months.
25 If requested, evidence acceptable to the board concerning the

1 experience shall be presented by the applicant in the form of
2 written reports or file memoranda;

3 (e) Within the twenty-four months following approval
4 of the applicant by the board, pass a closed-book examination
5 administered by the board which demonstrates that the applicant
6 has:

7 (i) Knowledge of technical terms commonly used in or
8 related to appraisal and the writing of appraisal reports;

9 (ii) Knowledge of depreciation theories, cost estimating,
10 methods of capitalization, market data analysis, appraisal
11 mathematics, and economic concepts applicable to real estate;

12 (iii) An understanding of the principles of land
13 economics, appraisal processes, and problems encountered in the
14 gathering, interpreting, and processing of data involved in the
15 valuation of real property;

16 (iv) Knowledge of the appraisal of various types of and
17 interests in real property for various functions and purposes;

18 (v) An understanding of basic real estate law;

19 (vi) An understanding of the types of misconduct for
20 which disciplinary proceedings may be initiated;

21 (vii) An understanding of the ~~National~~ Uniform Standards
22 of Professional Appraisal Practice;

23 (viii) An understanding of the recognized methods and
24 techniques necessary for the development and communication of a
25 credible appraisal; and

1 (ix) Knowledge of such other principles and procedures as
2 may be appropriate to produce a credible appraisal; and

3 (f) Not have been convicted of any felony or, if so
4 convicted, have had his or her civil rights restored.

5 (3) If an applicant is applying for renewal of a
6 ~~general certificate~~ credential as a certified general real property
7 appraiser on and after January 1, 2008, the applicant shall have
8 successfully completed no fewer than fourteen hours of instruction
9 in courses or seminars for each year of the two-year continuing
10 education period during which the application is submitted and
11 shall have completed the seven-hour National Uniform Standards of
12 Professional Appraisal Practice Update Course, or its equivalent
13 as approved by the Appraiser Qualifications Board, at a minimum
14 of every two years. The seven-hour course shall be taught by
15 a ~~National~~ Uniform Standards of Professional Appraisal Practice
16 Instructor who is certified by the Appraiser Qualifications Board
17 and who is a state-certified appraiser in good standing. Credit
18 toward a classroom hour requirement may be granted only if the
19 length of the educational offering is at least two hours. The
20 courses of study shall be conducted by an accredited university,
21 college, community college, or junior college, an appraisal
22 society, institute, or association, a state or federal agency
23 or commission, a proprietary school, or such other educational
24 provider as may be approved by the board. Credit may be granted for
25 educational offerings and for participation other than as a student

1 as approved by the board.

2 (4) If, prior to January 1, 2008, an applicant for
3 a ~~general certificate~~ credential as a certified general real
4 property appraiser has satisfied the requirements for education,
5 experience, or examination, as the requirements for each component
6 are described in subdivisions (1)(c), (d), and (e) of this section,
7 respectively, the board shall deem the applicant to have met the
8 requirements for that component for purposes of credentialing.
9 If the applicant has not met the requirements for a component
10 prior to January 1, 2008, the applicant shall be required to meet
11 the applicable requirements for that component as described in
12 subdivision (2)(c), (d), or (e) of this section.

13 (5) The application for a ~~general certificate~~ credential
14 as a certified general real property appraiser shall include the
15 applicant's social security number and such other information as
16 the board may require.

17 Sec. 18. Section 76-2233, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 76-2233 (1) A nonresident of this state may obtain a
20 credential as a licensed real property appraiser, ~~or a licensed~~
21 ~~residential real property appraiser or obtain a certificate as a~~
22 certified residential real property appraiser, ~~or as a certified~~
23 general real property appraiser by (a) complying with all of
24 the provisions of the Real Property Appraiser Act relating to
25 the appropriate classification of credentialing, (b) submitting an

1 application on a form approved by the board, and (c) submitting an
2 irrevocable consent that service of process upon him or her may be
3 made by delivery of the process to the director of the board if the
4 plaintiff cannot, in the exercise of due diligence, effect personal
5 service upon the applicant in an action against the applicant in a
6 court of this state arising out of the applicant's activities in
7 this state.

8 (2) If, in the determination of the board, another
9 state or territory or the District of Columbia has substantially
10 equivalent requirements to the requirements of this state, an
11 applicant who is a resident of that state, territory, or district
12 and is currently credentialed to appraise real estate and real
13 property under the laws of that state, territory, or district may
14 through reciprocity become credentialed under the act. To qualify
15 for reciprocal credentialing, the applicant shall:

16 (a) Submit evidence that he or she is currently a
17 resident of the state, territory, or District of Columbia in which
18 he or she is credentialed to appraise real estate and real property
19 and that such credential is in good standing, along with his or her
20 social security number and such other information as the board may
21 require;

22 (b) Certify that disciplinary proceedings are not pending
23 against him or her or state the nature of any pending disciplinary
24 proceedings;

25 (c) Submit an irrevocable consent that service of process

1 upon him or her may be made by delivery of the process to the
2 director of the board if the plaintiff cannot, in the exercise of
3 due diligence, effect personal service upon the applicant in an
4 action against the applicant in a court of this state arising out
5 of the applicant's activities as a real property appraiser in this
6 state;

7 (d) Pay fees as established in section 76-2241; and

8 (e) Comply with such other terms and conditions as may be
9 determined by the board.

10 The board may waive the residence requirement of this
11 subsection under special residency circumstances.

12 Sec. 19. Section 76-2233.01, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 76-2233.01 A nonresident may obtain a temporary
15 credential as a licensed real property appraiser, ~~or as a~~
16 ~~licensed residential real property appraiser or obtain a temporary~~
17 ~~certificate as a certified residential real property appraiser,~~
18 or as a certified general real property appraiser to perform a
19 contract relating to the appraisal of real estate or real property
20 in this state. To qualify for the issuance of a temporary ~~license~~
21 ~~or certificate,~~ credential, an applicant shall:

22 (1) Submit an application on a form approved by the
23 board;

24 (2) Submit an irrevocable consent that service of process
25 upon him or her may be made by delivery of the process to the

1 director of the board if the plaintiff cannot, in the exercise of
2 due diligence, effect personal service upon the applicant in an
3 action against the applicant in a court of this state arising out
4 of the applicant's activities in this state;

5 (3) Submit evidence that he or she is credentialed as a
6 licensed or certified appraiser of real estate and real property
7 and is currently in good standing in the jurisdiction of residency,
8 along with his or her social security number and such other
9 information as the board may require;

10 (4) Certify that disciplinary proceedings are not pending
11 against the applicant in the applicant's state of domicile or
12 in any other jurisdiction or state the nature of any pending
13 disciplinary proceedings; and

14 (5) Pay an application fee in an amount established by
15 the board.

16 A temporary license ~~or certificate~~ credential issued
17 under this section shall be expressly limited to a grant of
18 authority to perform the appraisal work required by the contract
19 for appraisal services in this state. Each temporary license ~~or~~
20 ~~certificate~~ credential shall expire upon the completion of the
21 appraisal work required by the contract for appraisal services
22 or upon the expiration of a period of six months from the
23 date of issuance, whichever occurs first. A temporary license ~~or~~
24 ~~certificate~~ credential may be renewed for one additional six-month
25 period.

1 Sec. 20. Section 76-2236, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 76-2236 Every credential holder shall furnish evidence
4 to the board that he or she has satisfactorily completed no
5 fewer than twenty-eight hours of approved continuing education
6 activities in each two-year continuing education period. Hours of
7 satisfactorily completed approved continuing education activities
8 cannot be carried over from one two-year continuing education
9 period to another. The board may extend or waive the continuing
10 education requirements by rule or regulation. As prescribed by
11 rule or regulation of the board and at least once every two
12 years, ~~an update seminar of no less than seven hours, covering~~
13 the seven-hour National Uniform Standards of Professional Appraisal
14 Practice Update Course, or its equivalent as approved by the
15 Appraiser Qualifications Board, shall be included in the continuing
16 education requirement of each credential holder. The board shall
17 approve continuing education activities which it determines would
18 protect the public by improving the competency of credential
19 holders. Evidence of completion of such continuing education
20 activities for the two-year continuing education period may be
21 submitted to the board as each activity is completed. A person who
22 holds a temporary credential shall not have to meet any continuing
23 education requirements in this state.

24 Sec. 21. Section 76-2237, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

1 76-2237 Each credential holder shall comply with the
2 ~~National~~ Uniform Standards of Professional Appraisal Practice.
3 The board shall adopt and promulgate rules and regulations which
4 conform to the ~~National~~ Uniform Standards of Professional Appraisal
5 Practice. The board shall review such rules and regulations
6 annually. A copy of each such rule or regulation shall be mailed to
7 the business address of each credential holder.

8 Sec. 22. Section 76-2241, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 76-2241 The board shall charge and collect appropriate
11 fees for its services under the Real Property Appraiser Act as
12 follows:

- 13 (1) An application fee of one hundred fifty dollars;
- 14 (2) An examination fee of no more than three hundred
15 dollars. The board may direct applicants to pay the fee directly to
16 a third party who has contracted to administer the examination;
- 17 (3) An initial and renewal credentialing fee, other than
18 temporary credentialing, of no more than three hundred dollars;
- 19 (4) A late renewal fee of twenty-five dollars for each
20 month or portion of a month the fee is late; and
- 21 (5) A temporary ~~license~~ credential fee for a licensed
22 real property appraiser ~~or a licensed residential real property~~
23 ~~appraiser~~ of no more than one hundred fifty dollars and a
24 temporary ~~certificate~~ credential fee for a certified residential
25 real property appraiser or a certified general real property

1 appraiser of no more than two hundred dollars.

2 All fees for credentialing through reciprocity shall be
3 the same as those paid by others pursuant to this section.

4 In addition to the fees set forth in this section, the
5 board may collect and transmit to the appropriate federal authority
6 any fees established under the provisions of the Financial
7 Institutions Reform, Recovery, and Enforcement Act of 1989, as
8 the act existed on January 1, 2006. The board may establish
9 such fees as it deems appropriate for special examinations and
10 other services provided by the board. All fees and other revenue
11 collected pursuant to the Real Property Appraiser Act shall be
12 remitted by the board to the State Treasurer for credit to the Real
13 Property Appraiser Fund.

14 Sec. 23. Section 76-2242, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 76-2242 (1) The board shall provide to each credential
17 holder proof that such person has been credentialed under the
18 Real Property Appraiser Act for the classification requirements set
19 forth in the act. The board shall also issue a pocket card in such
20 size and form as it may approve.

21 (2) Each credential issued under the act shall designate
22 the principal place of business of the credential holder.

23 (3) ~~Registrations, licenses, residential or general~~
24 ~~certificates, the proof~~ Proof of credentialing, and pocket cards
25 issued by the board shall remain the property of the state, and

1 upon surrender, cancellation, suspension, or revocation, any person
2 holding the documents shall immediately return such documents to
3 the board.

4 Sec. 24. Section 76-2247.01, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 76-2247.01 A person may retain or employ a real property
7 appraiser credentialed under the Real Property Appraiser Act
8 to provide appraisal services, including, but not limited to,
9 valuation assignments and consulting services. In each case, the
10 appraisal and the appraisal report shall comply with the Real
11 Property Appraiser Act and the ~~National~~ Uniform Standards of
12 Professional Appraisal Practice.

13 In a valuation assignment, the real property appraiser
14 shall remain an impartial, disinterested third party. When
15 providing a consulting service, the real property appraiser may
16 complete the evaluation assignment in a manner that responds to
17 a client's stated objective but shall also remain an impartial,
18 disinterested third party. Compensation of a real property
19 appraiser for either a valuation assignment or consulting service
20 shall not be contingent upon the real property appraiser reporting
21 a predetermined analysis, opinion, or conclusion reached or upon
22 the results achieved.

23 Sec. 25. Section 77-5004, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 77-5004 (1) Each commissioner shall be a qualified voter

1 and resident of the state and, for each commissioner representing
2 a congressional district, a domiciliary of the district he or she
3 represents.

4 (2) Each commissioner shall devote his or her full time
5 and efforts to the discharge of his or her duties and shall not
6 hold any other office under the laws of this state, any city or
7 county in this state, or the United States Government while serving
8 on the commission. Each commissioner shall possess:

9 (a) Appropriate knowledge of terms commonly used in or
10 related to real property appraisal and of the writing of appraisal
11 reports;

12 (b) Adequate knowledge of depreciation theories, cost
13 estimating, methods of capitalization, and real property appraisal
14 mathematics;

15 (c) An understanding of the principles of land economics,
16 appraisal processes, and problems encountered in the gathering,
17 interpreting, and evaluating of data involved in the valuation of
18 real property, including complex industrial properties and mass
19 appraisal techniques;

20 (d) Knowledge of the law relating to taxation, civil and
21 administrative procedure, due process, and evidence in Nebraska;

22 (e) At least thirty hours of successfully completed
23 class hours in courses of study, approved by the Real Property
24 Appraiser Board, which relate to appraisal and which include the
25 fifteen-hour National Uniform Standards of Professional Appraisal

1 Practice Course. If a commissioner has not received such training
2 prior to his or her appointment, such training shall be completed
3 within one year after appointment; and

4 (f) Such other qualifications and skills as reasonably
5 may be requisite for the effective and reliable performance of the
6 commission's duties.

7 (3) One commissioner shall possess any certification or
8 training required to become a licensed real property appraiser ~~or~~
9 a licensed residential real property appraiser as set forth in
10 section 76-2230.

11 (4) Prior to January 1, 2002, the chairperson, and on and
12 after January 1, 2002, at least two commissioners, shall have been
13 engaged in the practice of law in the State of Nebraska for at
14 least five years, which may include prior service as a judge, and
15 shall be currently admitted to practice before the Nebraska Supreme
16 Court.

17 (5) No commissioner or employee of the commission shall
18 hold any position of profit or engage in any occupation or business
19 interfering with or inconsistent with his or her duties as a
20 commissioner or employee. A person is not eligible for appointment
21 and may not hold the office of commissioner or be appointed by the
22 commission to or hold any office or position under the commission
23 if he or she holds any official office or position.

24 (6)(a) Each commissioner who meets the requirements of
25 subsection (4) of this section on or after January 1, 2002, shall

1 annually attend a seminar or class of at least two days' duration
2 that is:

3 (i) Sponsored by a recognized assessment or appraisal
4 organization, in each of these areas: Utility and railroad
5 appraisal; appraisal of complex industrial properties; appraisal
6 of other hard to assess properties; and mass appraisal, residential
7 or agricultural appraisal, or assessment administration; or

8 (ii) Pertaining to management, law, civil or
9 administrative procedure, or other knowledge or skill necessary for
10 performing the duties of the office.

11 (b) Each commissioner who does not meet the requirements
12 of subsection (4) of this section on or after January 1, 2002,
13 shall within two years after his or her appointment attend at least
14 thirty hours of instruction that constitutes training for judges or
15 administrative law judges.

16 (7) The commissioners shall be considered employees of
17 the state for purposes of sections 81-1301 to 81-1391 and 84-1601
18 to 84-1615.

19 (8) The commissioners shall be reimbursed as prescribed
20 in sections 81-1174 to 81-1177 for their actual and necessary
21 expenses in the performance of their official duties pursuant to
22 the Tax Equalization and Review Commission Act.

23 Sec. 26. Original sections 76-2210, 76-2210.01,
24 76-2210.02, 76-2213, 76-2213.01, 76-2217.01, 76-2219, 76-2223,
25 76-2226, 76-2227, 76-2228, 76-2228.01, 76-2229, 76-2229.01,

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1 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.01, 76-2236,
2 76-2237, 76-2241, 76-2242, 76-2247.01, and 77-5004, Revised
3 Statutes Cumulative Supplement, 2006, are repealed.